# Case 3:73-cv-00127-MMD-WGC Document 3 Filed 12/19/05 Page 1 of 40

| 1        |  |  |  |
|----------|--|--|--|
| 12       |  |  |  |
| 3        | IN THE UNITED STATES DISTRICT COURT<br>FOR THE DISTRICT OF NEVADA  |  |  |
| 4<br>5   | UNITED STATES OF AMERICA,  | )  |  |
| 6        | Plaintiff,   | ) In Equity No. C-125-ECR                            |  |
| 7        | WALKER RIVER PAIUTE TRIBE,   | Subfile No. C-125-B                                  |  |
| 8        | Plaintiff-Intervenor,  | DISCLAIMER OF INTEREST IN WATER RIGHTS AND NOTICE OF |  |
| 9        | v. )   | RELATED INFORMATION AND DOCUMENTATION SUPPORTING     |  |
| 10       | WALKER RIVER IRRIGATION  | DISCLAIMER   |  |
| 11       | DISTRICT, a corporation, et al.,   |  |  |
| 13       | )<br>Defendants. )   |  |  |
| 14       |  | · · · · · · · · · · · · · · · · · · ·                |  |
| 15       | The undersigned  |  |  |
| 16       | The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has |  |  |
| 17       | no interest in any water right within the categories set forth in Paragraph 3 of the Case  |  |  |
| 18       | Management Order (Apr. 18, 2000) and, therei   |  |  |
| 19<br>20 | This disclaimer and notice shall be sent to the following two persons:   |  |  |
| 21       | Linda Lea Sharer, Chief Deputy Clerk   |  |  |
| 22       | United States District Court for the District of Nevada 400 South Virginia Street, Suite 301   |  |  |
| 23       | Reno, NV 89501   |  |  |
| 24       | And  |  |  |
| 25       | Susan L. Schneider United States Department of Justice   |  |  |
| 26<br>27 | P.O. Box 756<br>Littleton, CO 80160  |  |  |
| 28       | In addition, because the undersigned sold  | or otherwise conveyed ownership of all of the        |  |
|          | DISCLAIMER OF WATER RIGHTS AND NOTICE  | OF RELATED INFORMATION, page 1 of 4                  |  |

#### Case 3:73-cv-00127-MMD-WGC Document 3 Filed 12/19/05 Page 2 of 40

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once 2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of 3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following 4 additional information: 5 The name and address of the party or parties who sold or otherwise conveyed 1. 6 ownership: 7 DOMALD E. Chaques Sharese J. Chaques Name(s): 8 9 Street or P.O. Box: P.O. BOX 1291 10 11 Town or City: DAYton 12 13 State: NOF 1.4 1.5 Zip Code: 89403 16 The name and address of each person or entity who acquired ownership 2.7 18 STEVEN E. VERNA NANCY J. VERNA 19 20 2 Street or P.O. Box: 2046 UAlderus DR. 22 23 Town or City: Glandale 24 25 CA. State: 26

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

Zip Code: 91208

27

28

## Case 3:73-cv-00127-MMD-WGC Document 3 Filed 12/19/05 Page 3 of 40

| 1        |   |
|----------|---|
| 2        |   |
| 3        | 3. Attached to or included with this notice is a copy of the (check appropriate                     |
| 4        | box(es)):   |
| 5        |   |
| 6        | Deed  |
| 7        | ☐ Court Order   |
| 8        | ☐ Other Document.   |
| ġ        |   |
| 10       | by which the change in ownership was accomplished.  |
| 11       | 4. The undersigned acknowledges that any person or entity who files a Disclaimer                    |
| 1.2      | of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently  |
| 1.3      | the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,     |
| 14       | in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of |
| <br>_ !5 | this litigation.  |
| 1.5      |   |
| - 7      | Executed this 19 day of October 2005.   |
| <br>_ 6  |   |
| 19       |   |
| 20       | $\Omega$ $\Omega P \mathcal{O} L$   |
| 21       | Donald & Clarger  |
| 22       | [signature of counter-defendant]  |
| 23       | e-games of council defendants   |
| 24       |   |
| 25<br>25 | Donald E Clique   |
| 26       |   |
| Ì        | [name of counter-defendant]   |
| 27       |   |
| 28       |   |

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 3 of 4

#### Case 3:73-cy-00127-MMD-WGC Document 3 Filed 12/19/05 Page 4 of 40

[name, if applicable, of person acting on behalf of counter-defendant] [signature, if applicable, of person acting on behalf of Counter-Defendant] [address] [telephone number] 2 B

disclaimer of water rights and notice of related information, page 4 of 4

#### Case 3:73-cy-00127-MMD-WGC Document 3 Filed 12/19/05 Page 5 of 40

|  | THE UNDERSIGNED HEREBY CERTIFIES   |
|--|--|
| APN: 09-031-05   | THIS TO BE A TRUE AND CORRECT COPY   |
| Escrow No. 00141721 - JN   | OF THE ORIGINAL, WHICH RECORDED  |
| RPTT \$663.00  | on June 9,2005   |
| When Recorded Return to:   | N BOOK AT PAGE   |
| STEVEN E. VERNA  | AS INSTRUMENT NO. 353316   |
| NANCY J. VERNA<br>2046 VALDERAS DR.  | OFFICIAL RECORDS.  |
| GLENDALE, CA 91208   | FIRST CENTENNIAL TITLE CO. OF NEVADA   |
| ,  | BY Q. Konek  |
| Mail Tax Statements to:  |  |
| SAME AS ABOVE  | SPACE ABOVE FOR RECORDERS USE  |
| Grant, Bargair   |  |
| , 3  |  |
| THIS INDENTLINE WITHESCETH, The DOMA   | IDE OLIVORD  |
| THIS INDENTURE WITNESSETH: That DONA husband and wife, as community property           | LD E. CLINGER and SHERRIE J. CLINGER,  |
|  |  |
| In consideration of \$10.00, the receipt of which                                      | is hereby acknowledged, do(es) hereby  |
| Grant, bargain, Sell and Convey to NANCY T. 1  | VERNA AND SPETTEN R TICOMA   |
| and husband as joint tenants with right  | of survivorship  |
| all that real property situated in the County of Ly                                    | on, State of Nevada, described as follows:   |
|  |  |
| See Exhibit A attached hereto and made a p   | art hereof.  |
| Together with all and singular the tonoments he  |  |
| Together with all and singular the tenements, he belonging or in anywise appertaining. | reditaments and appurtenances thereunto  |
|  | A1.  |
| Witness my/our hand(s) this $24\%$ day of  | , 2005   |
| 12 1/2 0/1   | 1  |
| Donald & Clinger X   | $\int \int $  |
| DONALD E. CLINGER SHEE   | RIE J CLINGER  |
|  | $\mathcal{T}$  |
| STATE OF NEVADA  | ·  |
| Californ City  |  |
| $\checkmark$   |  |
| This instrument was acknowledged before m  |  |
| by DONALD E. CLINGER and SHERRIE J. CLIN   | IGER.  |
| Janu Nahiutt   |  |
|  | to the first the second |
| NOTARY/PUBLIC  | JEANNIE NABICHT  Notary Public - State of Nevada   |
|  | Appointment Recorded in Carson Cav   |
|  | No. 91-0674-3 - Explies August 14, 2006  |
| COACE DELOW FOR THE T  |  |

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#### Case 3:73-cv-00127-MMD-WGC Document 3 Filed 12/19/05 Page 7 of 40

1 2 3 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 4 UNITED STATES OF AMERICA. 5 6 Plaintiff. In Equity No. C-125-ECR Subfile No. C-125-B 7 WALKER RIVER PAIUTE TRIBE. DISCLAIMER OF INTEREST IN 8 Plaintiff-Intervenor, ) WATER RIGHTS AND NOTICE OF 9 RELATED INFORMATION AND DOCUMENTATION SUPPORTING 10 DISCLAIMER WALKER RIVER IRRIGATION 11 DISTRICT, a corporation, et al., 12 13 Defendants. 14 15 The undersigned counter-defendant in the above action hereby notifies the Court and the 16 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 17 no interest in any water right within the categories set forth in Paragraph 3 of the Case 18 Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action. 19 This disclaimer and notice shall be sent to the following two persons: 20 Linda Lea Sharer, Chief Deputy Clerk 21 United States District Court for the District of Nevada 22 400 South Virginia Street, Suite 301 Reno, NV 89501 23 And 24 Susan L. Schneider 25 United States Department of Justice 26 P.O. Box 756 Littleton, CO 80160 27 In addition, because the undersigned sold or otherwise conveyed ownership of all of the 28 DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4

## Case 3 73-cv-00127-MMD-WGC Document 3 Filed 12/19/05 Page 8 of 40

| 1   | water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once |
|-----|--|
| 2   | owned before the undersigned was served with a Waiver of Service of Notice in Lieu of            |
| 3   | Summons or by a Notice in Lieu of Summons, the undersigned provides the following                |
| 4   | additional information:  |
| 5   |  |
| 6   | and address of the party of parties who sold of otherwise conveyed                               |
| 7   | ownership:   |
| 8   | Name(s): Sheere J. Clingers<br>Donald E Clinger  |
| 9   |  |
| 10  | Street or P.O. Box: PO Box 1291  |
| 11  |  |
| 12  | Town or City: DAYTON   |
| 13  | 0  |
| 14  | State: NU.   |
| 15  |  |
| 16  | Zip Code: 89403  |
| 17  | 2. The name and address of each person or entity who acquired ownership                          |
| 18  |  |
| 19  | Name(s): STEVEN E VECNA  |
| 20  | NANCY J. VECNA   |
| 21  | Street or P.O. Box:  |
| 2:2 | 2046 VALDERAS DR.  |
| 23  |  |
| 24  | Town or City: Glendale   |
| 25  |  |
| 26  | State: CA.   |
| 27  |  |
| _   | Zip Code: O. O. O.   |

2

### Case 3 73-cv-00127-MMD-WGC Document 3 Filed 12/19/05 Page 9 of 40

|     | ·   |
|-----|---|
| 2   |   |
| 3   | 3. Attached to or included with this notice is a copy of the (check appropriate                     |
| 4   | box(es)):   |
| 5   |   |
| 6   | Deed Deed   |
| 7   | ☐ Court Order   |
| 8   | Other Document.   |
| ġ   |   |
| 10  | by which the change in ownership was accomplished.  |
| 11  | 4. The undersigned acknowledges that any person or entity who files a Disclaimer                    |
| 12  | of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, |
| 13  | the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,     |
| 14  | in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of |
| 1.5 | this litigation.  |
| 1.6 |   |
| 2.7 | Executed this 17 day of OCT 200 5   |
| I.6 |   |
| 19  |   |
| 20  |   |
| 21  | St. 18  |
| 22  | [signature of counter-defendant]  |
| 23  |   |
| 24  |   |
| 25  | Sheerie J. Clinger,   |
| 26  | [name of counter-defendant]   |
| 27  |   |
| 28  |   |

#### Case 3:73-cv-00127-MMD-WGC Document 3 Filed 12/19/05 Page 10 of 40

behalf of counter-defendant]

[signature, if applicable, of person acting on behalf of Counter-Defendant]

[telephone number]

#### Case 3:73-cv-00127-MMD-WGC Document 3 Filed 12/19/05 Page 11 of 40

|  | THE UNDERSIGNED HEREBY CERTIFIES   |
|--|--|
| APN: 09-031-05   | THIS TO BE A TRUE AND CORRECT COPY   |
| Escrow No. 00141721 - JN   | OF THE ORIGINAL, WHICH RECORDED  |
| RPTT \$663.00  | on June 9,2005   |
| When Recorded Return to:   | N BOOK AT PAGE   |
| STEVEN E. VERNA  | AS INSTRUMENT NO. 353316   |
| NANCY J. VERNA   | OFFICIAL RECORDS.  |
| 2046 VALDERAS DR.<br>GLENDALE, CA 91208  | FIRST CENTENNIAL TITLE CO. OF NEVADA   |
| CHARLES CA DIZOU   | By a. Ronek  |
| Mail Tax Statements to:  | The state of the s |
| CAME AC ADOVE  | U  |
| SAME AS ABOVE  | SPACE ABOVE FOR RECORDERS USE  |
| Grant, Bargai  | a, Sale Deed   |
|  |  |
| THIS INDENTURE WITNESSETH: That DONA   | LD E. CLINGER and SHERRIF J. CLINGER   |
| husband and wife, as community property  | over the control of t |
| In consideration of data on the contract of th |  |
| In consideration of \$10.00, the receipt of which  | is hereby acknowledged, do(es) hereby  |
| Grant, Bargain, Sell and Convey to NANCY J.  | VERNA AND STEVEN E. VERNA, wife  |
| and husband as joint tenants with righ   | t of survivorship  |
| all that real property situated in the County of L   | yon, State of Nevada, described as follows:  |
|  |  |
| See Exhibit A attached hereto and made a p   | art hereof.  |
|  |  |
| Together with all and singular the tenements, he   | ereditaments and appurtenances thereunto   |
| belonging or in anywise appertaining.  |  |
| Witness my/our hand(s) this 14th day of  | May  |
| 1 ()   | 2005   |
| 1) 1/1/8 0/1   | () , <i>()(</i> /  |
| BONALDE CONGEL   | the bly  |
| DONALD E. CLINGER / SHE  | RRIE JI CLINGER  |
|  | ' /  |
| STATE OF NEVADA  |  |
| Causin City  |  |
| This instrument was acknowledged before m  | ne on 5/24/05  |
|  |  |
| by DONALD E. CLINGER and SHERRIE J. CLII   | NGER.  |
| Judaie Malricht  |  |
| - Judice Turn Ca   | of members its respectively described the section of the section o |
| NOTARY/PUBLIC  |  |
| MOTAKINEOBLIC  | JEANNIE NABICHT Notary Public - State of Neverda   |
| NOTARIJPOBLIC  | Notary Public - State of Nevada Appointment Recorded in Carson City  |
| NOTARIJPOBLIC  | Nothry Public - State of Nevada  |

#### Case 3:73-cv-00127-MMD-WGC Document 3 Filed 12/19/05 Page 13 of 40

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

#### Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

| Date: 10-70-05 | Signature Donald R. Cochran                                      |
|----------------|--|
|                | Printed/Typed Name   |
|                | If you are acting on behalf of any entity, identify that you are |
|                | acting as: of  |
|                | (Title)  |
|                | (Corporate, Trust, Partnership or other entity)                  |

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of ummons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear ne cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been rought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service f the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with notice of appearance and intent to participate.

| Cas | e 3:73-cv-00127-MMD-WGC Doc   | ument 3 Filed 12/19/05 Page 14 o                      |  |
|-----|---|---|--|
|     | 2   |   |  |
| 3   |   |   |  |
| 4   |   |   |  |
| 5   | IN THE UNITED STA   | TES DISTRICT COURT                                    |  |
| 6   | FOR THE DISTI   | RICT OF NEVADA  |  |
| . 7 |   |   |  |
| 8   | UNITED STATES OF AMERICA,   | )<br>)  |  |
| 9.  |   | ) In Equity No. C-125-ECR<br>) Subfile No. C-125-B    |  |
| 10  | WALKER RIVER PAIUTE TRIBE,  | ) ) NOTICE OF CHANGE OF                               |  |
| 11  | Plaintiff-Intervenor,   | OWNERSHIP OF WATER RIGHT                              |  |
| 12  | v.  |   |  |
| 13  | WALKER RIVER IRRIGATION DISTRICT, ) a corporation, et al.,  |   |  |
| 14  | Defendants.   |   |  |
| 15  | Defendants. )   |   |  |
| 16  |   |   |  |
| 17  | United States that the undersigned (or the entity on whose behalf the undersigned is acting) has sold or otherwise conveyed ownership of all or a portion of a water of the court and the |   |  |
| 18  |   |   |  |
| 19  |   |   |  |
| 20  | following information:  | e Management Order and provides the                   |  |
| 21  |   |   |  |
| 22  | 1. The name and address of the party  | or parties who sold or otherwise conveyed             |  |
| 23  | ownership:  |   |  |
| 24  |   |   |  |
| 25  | Nате(s  | 5 Donald a Cochean Susan T Cochean D. Box 21 Basque L |  |
| 26  | Street or P.C   | D. Box 2/ Basaus!                                     |  |
| 27  |   | · · · · · · · · · · · · · · · · · · ·                 |  |
| 28  | NOTICE OF CHANGE OF WATER RIGHTS OWNER  | SHIP, page 1 of 3                                     |  |

| Case       | 3:73-cv-00127-MMD-WGC Document 3 Filed 12/19/05 Page 15 o                                      |
|------------|--|
| 2          | Town or City State ZipCode   |
| 3          | 2. The name and address of each person or entity who acquired ownership                        |
| 4          |  |
| 5          | Name(s) Sunais s Rouch ILe   |
| 6          | Street or P.O. Box & Luy hr.   |
| 7          | Town or City State ZipCode   |
| 8          | yearington NV. 89447   |
| 9          | 3. Attached to or included with this notice is a copy of the (check appropriate                |
| 10         | box(es)):  |
|            | <b>⊠</b> Deed  |
| 11         | ☐ Court Order  |
| 12         | Other Document.  |
| 13         | by which the change in ownership was accomplished.   |
| 14         | 4. The undersigned acknowledges that any person or entity who files a Notice of                |
| 15         | Change of Ownership of Water Right using this form is ultimately responsible for the accuracy  |
| 16         | of this filing. Consequently, the undersigned acknowledges that any person or entity who files |
| 17.        |  |
|            |  |
| 18         |  |
| 19         | * This notice shall be sent to the following two persons:                                      |
| 20         | Linda Lea Sharer, Chief Deputy Clerk   |
| 21         | United States District Court for the District of Nevada 400 South Virginia Street, Suite 301   |
| 22         | Reno, NV 89501   |
| <b>2</b> 3 | <u>And</u>   |
| 24         | Susan L. Schneider   |
| 25         | United States Department of Justice P.O. Box 756   |
| 26         | Littleton, CO 80160  |
|            |  |
| 27         |  |
| 28         | NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 2 of 3  |

| Case | 3673rCV+00127aiN MD VMG-rehD 9        | cument.3e5iled.12/19/05e2age.16 c              |
|------|---------------------------------------|--|
| 2    | litigation.                           |  |
| 3    |                                       |  |
| 4    | Executed this 10 +4 day of Octob      | 200 <u>5</u> .                                 |
| 5    |                                       |  |
| 6    |                                       |  |
| 7    |                                       | [cignature of courses 1, for 1, 1,             |
| 8    |                                       | [signature of counter-defendant]               |
| 9    |                                       |  |
| 10   |                                       |  |
| 11   | · · · · · · · · · · · · · · · · · · · | [name of counter-defendant]  Ponold R Cochson  |
| 12   |                                       | Wonald M. Cochlan                              |
| 13   |                                       | [signature, if applicable, of person acting on |
| 14   |                                       | behalf of counter-defendent]                   |
| 15   |                                       |  |
| 16   |                                       | [name, if applicable, of person acting on      |
| 17   |                                       | behalf of counter-defendant]                   |
| 18   |                                       |  |
| 19   |                                       |  |
| 20   |                                       | f. 14  |
| 21   |                                       | [address] 21 Basque L                          |
| 22   | •                                     | Je Ling fon NV. 89447 [telephone number]       |
| 23   |                                       | 775-463-5164                                   |
| 24   |                                       |  |
| 25   |                                       |  |
| 26   |                                       |  |
| 27   |                                       |  |
|      | MOTICE OF CHANCE OF WAR               |  |
| 28   | HULLE OF CHANGE OF WATER RIGHTS OWN   | ERSHIP, page 3 of 3                            |

Ţ 2 3 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 4 UNITED STATES OF AMERICA. 15 6 Plaintiff, In Equity No. C-125-ECR Subfile No. C-125-B 7 WALKER RIVER PAIUTE TRIBE. DISCLAIMER OF INTEREST IN 8 Plaintiff-Intervenor, WATER RIGHTS AND NOTICE OF RELATED INFORMATION AND 9 DOCUMENTATION SUPPORTING 10 DISCLAIMER WALKER RIVER IRRIGATION 11. DISTRICT, a corporation, et al., 12 13 Defendants. 14 15 The undersigned counter-defendant in the above action hereby notifies the Court and the **⊥**6 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 17 no interest in any water right within the categories set forth in Paragraph 3 of the Case 18 Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action. 19 This disclaimer and notice shall be sent to the following two persons: 20 Linda Lea Sharer, Chief Deputy Clerk 21 United States District Court for the District of Nevada 22 400 South Virginia Street, Suite 301 Reno, NV 89501 23 And 24 Susan L. Schneider 25 United States Department of Justice 26 P.O. Box 756 Littleton, CO 80160 27 In addition, because the undersigned sold or otherwise conveyed ownership of all of the

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4

28

### Case 3:73-cv-00127-MMD-WGC Document 3 Filed 12/19/05 Page 18 of 40

| 1        |   |
|----------|---|
| 2        |   |
| 3        | 3. Attached to or included with this notice is a copy of the (check appropriate                     |
| 4        | box(es)):   |
| 5        | -   |
| 6        | Deed  |
| 7        | ☐ Court Order   |
| 8        | ☐ Other Document.   |
| ġ        |   |
| 10       | by which the change in ownership was accomplished.  |
| 11       | 4. The undersigned acknowledges that any person or entity who files a Disclaimer                    |
| 12       | of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, |
| 13       | the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,     |
| 13<br>14 | in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of |
| 14<br>15 | this litigation.  |
| -        |   |
| 26       | Executed this 10 H. day of October 2005.  |
| - 7      | 2009.   |
| 16       |   |
| 19       |   |
| 21)      |   |
| 21       |   |
| 22       | [signature of counter-defendant]  |
| 3        | Donald R Cochain  |
| 24       |   |
| 25       |   |
| 6        | [name of counter-defendant]   |
| :7       | Donald R. Cochnan   |
| ٤        |   |

#### Case 3:73-cv-00127-MMD-WGC Document 3 Filed 12/19/05 Page 19 of 40

RPTT \$ 58.50 APN 14-333-18

#### **QUITCLAIM DEED**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

DONALD R. COCHRAN and SUSAN J. COCHRAN, husband and wife

do hereby QUITCLAIM, ASSIGN, TRANSFER and SELL TO

SUNRISE RANCH LLC, a Nevada Limited Liability Company

All of their right, title and interest in and to State of Nevada permit No. 66112, (formerly Permit No. 28547 Certificate No. 9302) together with all of the water and water rights arising therefrom and pertaining thereto situate in the County of Lyon, State of Nevada

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, reminders, rents, issue or profits thereof.

DATED: January 1, 2001

Donald R. Cochran

Susan J. Cochran

## Case 3;73-cv-08127-MMD-WGC Document 3 Filed 12/19/05 Page 20 of 40

On <u>Jan. 17,2co1</u> personally appeared before me, a Notary Public, DONALD R. COCHRAN and SUSAN J. COCHRAN who acknowledged to me that they executed the within instrument.

Downa LWarv Notary Public



Grantee address:

# 8 Lux Lane Yerington, NV 89447 RECORDERS USE

256479

OFFICIAL RECORDS LYCH COUNTY, NEV. RECORD REQUESTED BY

Alexander Kanch LLC

MARY C. MILLIGAN COUNTY RECORDER

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#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

| Date: 10 - 10 - 05 | Signature Susan J. Coch can   |      |
|--------------------|---|------|
|                    | Printed/Typed Name  |      |
|                    | If you are acting on behalf of any entity, identify that you acting as: | are  |
|                    | (Title)   | _ UI |
|                    |   |      |
|                    | (Corporate, Trust, Partnership or other entity)                         |      |

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been prought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with notice of appearance and intent to participate.

5 -

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

| UNITED STATES OF AMERICA,                                | )  |
|--|--|
| Plaintiff,   | ) In Equity No. C-125-ECR                    |
| WALKER RIVER PAIUTE TRIBE,                               | ) Subfile No. C-125-B                        |
| Plaintiff-Intervenor,                                    | NOTICE OF CHANGE OF OWNERSHIP OF WATER RIGHT |
| <b>v.</b>  | )<br>)                                       |
| WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., | )<br>)<br>)                                  |

Defendants.

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has sold or otherwise conveyed ownership of all or a portion of a water right within one or more of the categories set forth in Paragraph 3 of the Case Management Order and provides the following information:

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

Name(s) Donald R. Cochran Susan J. Cochran Street or P.O. Box 21 Basque Ln

NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 1 of 3

| Case | 3:73-cv-00127-MMD-WGC Document 3 Filed 12/19/05 Page 24 of                                     |
|------|--|
| 2    | Town or City State ZipCode Galuly  |
| 3    | 2. The name and address of each person or entity who acquired ownership                        |
| 4    |  |
| 5    | Name(s) Sunrise Rarch LLC  |
| 6    | Street or P.O. Box 8 Lux Ln  |
| 7    | Town or City State ZipCode   |
| 8    | Gerington NV ZipCode 89447   |
| 9    | 3. Attached to or included with this notice is a copy of the (check appropriate                |
| 10   | box(es)):  |
| ,    | Deed Deed  |
| 11   | ☐ Court Order  |
| 12   | Other Document.  |
| 13   | by which the change in ownership was accomplished.   |
| 14   | 4. The undersigned acknowledges that any person or entity who files a Notice of                |
| 15   | Change of Ownership of Water Right using this form is ultimately responsible for the accuracy  |
| 16   | of this filing. Consequently, the undersigned acknowledges that any person or entity who files |
| 17.  |  |
| 18   |  |
| 19   |  |
|      | * This notice shall be sent to the following two persons:                                      |
| 20   | Linda Lea Sharer, Chief Deputy Clerk   |
| 21   | United States District Court for the District of Nevada 400 South Virginia Street, Suite 301   |
| 22   | Reno, NV 89501   |
| 23   | <u>And</u>   |
| 24   | Susan L. Schneider United States Department of Justice   |
| 25   | P.O. Box 756 Littleton, CO 80160   |
| 26   |  |
| 27   |  |
| 28   | NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 2 of 3  |

NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 3 of 3

#### Case 3:73-cv-00127-MMD-WGC Document 3 Filed 12/19/05 Page 26 of 40

1 2 3 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 4 UNITED STATES OF AMERICA, 5 6 Plaintiff, In Equity No. C-125-ECR Subfile No. C-125-B 7 WALKER RIVER PAIUTE TRIBE, DISCLAIMER OF INTEREST IN 3 Plaintiff-Intervenor, WATER RIGHTS AND NOTICE OF Э RELATED INFORMATION AND DOCUMENTATION SUPPORTING 10 DISCLAIMER WALKER RIVER IRRIGATION 11 DISTRICT. a corporation, et al., 12 13 Defendants. 14 15 The undersigned counter-defendant in the above action hereby notifies the Court and the 16 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 17 no interest in any water right within the categories set forth in Paragraph 3 of the Case 18 Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action. 1.9 This disclaimer and notice shall be sent to the following two persons: 20 Linda Lea Sharer, Chief Deputy Clerk 21 United States District Court for the District of Nevada 22 400 South Virginia Street, Suite 301 Reno, NV 89501 23 And 24 Susan L. Schneider 25 United States Department of Justice 26 P.O. Box 756 Littleton, CO 80160 27 In addition, because the undersigned sold or otherwise conveyed ownership of all of the 28 DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4

#### Case 3:73-cv-00127-MMD-WGC Document 3 Filed 12/19/05 Page 27 of 40

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once 2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of 3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following 4 additional information: 5 The name and address of the party or parties who sold or otherwise conveyed 1 6 ownership: 7 Name(s): Donald R. Cochran Susan J. Cochran 8 9 Street or P.O. Box: 21 Basque Ln 1.0 11 Town or City: Yerington

State: Nevada 1.2 1.3 State: 1.4 1.5 89447 Zip Code: 1.6 The name and address of each person or entity who acquired ownership 2. 1.7 1.8 Name(s): Sunrise Ranch LLC 1.9 2:0 2.1 Street or P.O. Box: 8 Lux Ln 22 23 Town or City: Yerington

State: Nevada 24 25 26 27 Zip Code: 89447 28

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| 2          |   |  |  |
|------------|---|--|--|
| 3          | 1   |  |  |
| 4          | box(es)):   |  |  |
| 5          |   |  |  |
| 6          | ₩ Deed  |  |  |
| 7          | ☐ Court Order   |  |  |
| 8          | ☐ Other Document.   |  |  |
| 9          |   |  |  |
| 10         | by which the change in ownership was accomplished.  |  |  |
| 11         | 4. The undersigned acknowledges that any person or entity who files a Disclaimer                    |  |  |
| 12         | ll ci   |  |  |
| 13         | the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,     |  |  |
| 14         | in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of |  |  |
| 15         | this litigation.  |  |  |
| 16         |   |  |  |
| <b>-</b> 7 | Executed this 10th day of October 2005.   |  |  |
| 18         |   |  |  |
| 19         |   |  |  |
| 20         |   |  |  |
| 21         |   |  |  |
| 22         | [signature of counter-defendant]  |  |  |
| 23         |   |  |  |
| 24         | Dusan g. Cochran  |  |  |
| 25         |   |  |  |
| 26         | Iname of country defend as  |  |  |
| 7          | [name of counter-defendant] Susan J Cochran   |  |  |
| 8          | - Cochren   |  |  |
|            | ·   |  |  |

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 3 of 4

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[name, if applicable, of person acting on behalf of counter-defendant] [signature, if applicable, of person acting on behalf of Counter-Defendant] [address] <u>..</u> 7 1.8 [telephone number] 2.7 2:8

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 4 of 4

RPTT \$ 58.50 APN 14-333-18

#### **QUITCLAIM DEED**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

DONALD R. COCHRAN and SUSAN J. COCHRAN, husband and wife

do hereby QUITCLAIM, ASSIGN, TRANSFER and SELL TO

SUNRISE RANCH LLC, a Nevada Limited Liability Company

All of their right, title and interest in and to State of Nevada permit No. 66112, (formerly Permit No. 28547 Certificate No. 9302) together with all of the water and water rights arising therefrom and pertaining thereto situate in the County of Lyon, State of Nevada

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, reminders, rents, issue or profits thereof.

DATED: January 17, 2001

Donald R. Cochran

Susan J. Cochran

## STATE OF VADA ) Case 3:73-cv-00127-MM9-WGC Document 3 Filed 12/19/05 Page 31 of 40 COUNTY OF LYON )

On Jan. 17, 2001 personally appeared before me, a Notary Public, DONALD R. COCHRAN and SUSAN J. COCHRAN who acknowledged to me that they executed the within instrument.

Dawna L. Warw Notary Public



Grantee address:

# 8 Lux Lane Yerington, NV 89447 RECORDERS USE

256479

OFFICIAL RECORDS LYEN COUNTY, NEV. PRECORD REQUESTED BY CINIAL KANCK LLC

01 JAN 17 PM 4:06

HARY C. MILLIGAN
COUNTY RECORDER

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#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

#### TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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| Date://-/-C5 | Signature  Gilbert E. Cook  Printed/Typed Name                                   |              |
|--------------|--|--------------|
|              | If you are acting on behalf of any entity, identify that you acting as:  (Title) | ou are<br>of |
|              | (Corporate, Trust, Partnership or other entity)                                  |              |

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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a notice of appearance and intent to participate.

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#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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Date: 2/-/- 05 LINDA L. Cook Printed/Typed Name If you are acting on behalf of any entity, identify that you are acting as: of (Title) (Corporate, Trust, Partnership or other entity)

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| Date: //- 07-05 | Signature  Antoinette Crabtree  Printed/Typed Name  If you are acting on behalf of any entity, identify that you are acting as:  Of |
|-----------------|---|
|                 | (Corporate, Trust, Partnership or other entity)   |

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1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA 4 Plaintiff 5 WALKER RIVER PAIUTE TRIBE. IN EQUITY NO. C-125 6 Plaintile-Intervenor. SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT. a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 1.0 1.1 I hereby enter my appearance in this sub-proceeding in this case. 1. 1.2 I am filing this document with the District Court at the following address: 2. 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 15 400 South Virginia Street, Suite 301 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 Summons. I am mailing a copy of this document to: 13 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice 20 Environment & Natural Resources Division P.O. Box 756 21 Littleton, Colorado 80160 I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 4. to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 2.3 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 2.5 5. me in these proceedings. I identify that attorney below, along with his or her mailing address, 26 27 telephone number, and facsimile number: 28

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| 1    | Attorney:     |   |
|------|---------------|---|
| 2    |               |   |
| 3    | Address:      |   |
| 4    |               |   |
| 5    |               |   |
| 6    | Phone Number: |   |
| 7    | Fax Number:   |   |
| В    |               | antoinette Crabtice                                 |
| 9    |               | (Signature)   |
| 10   |               |   |
| 11   |               | Antoinette Crabbree                                 |
| 12   |               | (Printed or typed Name)                             |
| 13   |               |   |
| 14   |               |   |
| 15   |               | (Entity, if any, on whose behalf you are appearing) |
| 16   |               | 205 Artesia Rd.                                     |
| 17   |               | Wellington NU 89444                                 |
| 18   |               | (Address)   |
| L 5) |               | (Telephone number)                                  |
| 20   |               |   |
| 2 7. |               |   |
| 22   |               |   |
| 23   |               |   |

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